

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SHAWN HORTON,)	4:10CV3155
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
ROBERT HOUSTON,)	
)	
Respondent.)	

This matter is before the court on its own motion. On August 20, 2010, the court denied Petitioner's Motion to Proceed In Forma Pauperis and required the payment of the \$5.00 filing fee no later than September 20, 2010. (Filing No. [6](#).) The court warned Petitioner that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.* at CM/ECF p. 2.) Petitioner has not paid the \$5.00 filing fee or filed any other response to the court's previous Memorandum and Order.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to pay the court's filing fee and for failure to comply with a court order.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 28th day of September, 2010.

BY THE COURT:

Richard G. Kopf
United States District Judge

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